

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF MISSISSIPPI
GREENVILLE DIVISION**

UNITED STATES OF AMERICA

VS.

CASE NO. 4:06CR124-WAP-JMV

JIMMY WINEMILLER

ORDER

This matter is before the court on the motion of the Government to quash the subpoena duces tecum of Defendant Jimmy Winemiller (#377) issued to the Government. In its rebuttal(#387), the Government represents that the subpoenaed documents “should be and will be disclosed” pursuant to Federal Rules of Criminal Procedure 16, the Jencks Act, and *Brady/Giglio*.¹ The government further represents that it will stipulate to their authenticity at trial.

Taking the government at its word, the court finds that under these circumstances, the necessity of the subpoena has been obviated.

IT IS, THEREFORE, ORDERED that the Government’s motion to quash the subpoena duces tecum (# 377) and for an order directing the documents’ production at trial is hereby GRANTED. Accordingly, the court orders that the production of documents be made pursuant to the Government’s obligations under Fed. R. Crim. P. 16, the Jencks Act, and the *Brady* decision, and that the United States will stipulate at trial to the documents’ authenticity.

SO ORDERED, this the 14th day of October, 2011.

/s/ Jane M. Virden
UNITED STATES MAGISTRATE JUDGE

¹To obviate any privacy act concerns related to the disclosure of the information, the government requests that this Court issue an order directing said disclosures.